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**Date:** June 22, 2005**To:** Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**Facsimile No:** (703) 872-9306**From:** Jan N. Tittel, Ph.D.  
Registration No. 52,290**Re:** U.S. Patent Application Serial No. 10/686,947  
Filed October 16, 2003  
Entitled: CLONING OF CYTOCHROME P450 GENES  
FROM NICOTIANA  
Applicant: Dongmei Xu  
Attorney Docket No. 07678/141007 (formerly 79601)  
Customer No. 21559**Pages:** 4, including this one**Message:** ENCLOSED FOR FILING PLEASE FIND:  
  
REVOCATION AND NEW POWER OF ATTORNEY (2  
pages);  
  
COPY OF ASSIGNMENT (1 page).

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PATENT  
ATTORNEY DOCKET NO. 07678/141007Certificate of Transmission by Facsimile: Date of Transmission: June 22, 2005

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being transmitted by facsimile to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated above, at the following facsimile number: (703) 872-9306.

Janet D'Annunzio-Ellis  
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Janet D'Annunzio-Ellis  
Signature of person transmitting facsimile

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dongmei Xu Art Unit: 1638  
Serial No.: 10/686,947 Examiner: Not Yet Assigned  
Filed: October 16, 2003 Customer No.: 21559  
Title: CLONING OF CYTOCHROME p450 GENES FROM NICOTIANA

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 C.F.R. § 3.73(b), U.S. Smokeless Tobacco Company, a corporation, certifies that it is the assignee of 100% of the right, title, and interest in the patent application identified above by virtue of:

An assignment from the inventor of the application. The assignment was executed by the inventor on February 20, 2004 and submitted to the U.S. Patent and Trademark Office for recordation on March 29, 2004. A copy of the executed assignment is enclosed.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

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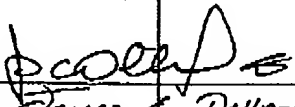
The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints the attorneys and/or agents of Clark & Elbing LLP, associated with customer number 21559, with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to the address associated with customer number 21559.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: June 20, 2005

  
Name: James C. Dillard III  
Title: Vice President  
U.S. SMOKELESS TOBACCO COMPANY

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Attorney Docket 79601

## ASSIGNMENT

I, DONGMEI XU, of Lexington County of Fayette and State of Kentucky, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to **U.S. SMOKELESS TOBACCO COMPANY**, having its principal place of business at 100 West Putnam Avenue, Greenwich, Connecticut 06830, its successors, assigns and legal representatives, the entire right, title and interest, in and to all subject matter invented by me and disclosed in the application for Letters Patent of the United States entitled

## CLONING OF CYTOCHROME P450 GENES FROM NICOTIANA

United States Application Number 10/686,947, filed October 16, 2003; and in and to all Letters Patent and all Convention and Treaty rights of all kinds, including the right to claim priority from said application, in all countries throughout the world, for all such subject matter. I agree to sign all documents necessary to secure all said Letters Patent and rights, and request issuance of all said Letters Patent to the above assignee in accordance with this assignment.

2-20-2004, 2004

Dongmei Xu  
DONGMEI XU

State of Kentucky )  
 ) SS  
County of Clark )

I hereby certify that before me in the County of Clark, in the State of Kentucky, personally appeared **DONGMEI XU**, personally known by me, who then and there was duly sworn by me, and under oath acknowledged that the foregoing assignment was duly signed, sealed, and delivered by him on the date appearing at the foot thereof.

February 20, 2004

Sharon Turley  
Notary Public

My Commission Expires: